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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 MARTIN EUGENE ROBERTS,)
17 Defendant.)
18

No. CR 06-00189 SBA

STIPULATION TO SCHEDULE
HEARING FOR CHANGE OF PLEA AND
SENTENCING; ORDER EXCLUDING
TIME

1 Plaintiff, by and through its attorney of record, and defendant, by and through his
2 attorney of record, hereby stipulate and ask the Court to find as follows:

3 1. The government and defendant Martin Eugene Roberts have reached negotiated
4 dispositions in which defendant would plead guilty pursuant to a binding plea agreement.

5 2. Accordingly, the parties hereby submit the proposed plea agreement, submitted
6 under separate cover for the Court's consideration pursuant to Federal Rule of Criminal
7 Procedure 11(c)(1)(C). The parties further stipulate and request that the Court find and order the
8 following:

9 (a) That the parties have submitted a plea agreement for the Court's
10 consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C); and

11 (b) that a hearing for change of plea and imposition of judgment and sentence
12 be scheduled for 10:00 a.m. on April 29, 2008, for defendant Martin Eugene Roberts; and that
13 the time period from January 11, 2008, through April 29, 2008, is excludable under the Speedy
14 Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from
15 consideration by the Court of a proposed plea agreement entered into by the defendant and the
16 government pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C).

17 IT IS SO STIPULATED.

18 DATE: January 11, 2008

Respectfully submitted,

19 JOSEPH P. RUSSONIELLO
United States Attorney

20 /s/¹

21 GARTH HIRE
Assistant United States Attorney

22 Attorneys for Plaintiff
23 UNITED STATES OF AMERICA

24
25 DATE: January 11, 2008

/s/

26 GERI LYNN GREEN, ESQ.

27 Counsel for Martin Eugene Roberts

28 ¹ I hereby attest that I have on file all the holograph signatures for any signatures indicated
by a "conformed" signature (/s/) within this e-filed document.

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1. A hearing for change of plea and imposition of judgment and sentence is hereby scheduled for 10:00 a.m. on April 29, 2008, for defendant Martin Eugene Roberts. Time is excluded for purposes of the Speedy Trial Act from January 11, 2008, through the hearing date of April 29, 2008, pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C).
2. The presently scheduled status conference in this matter for Tuesday, January 15, 2008, at 9 a.m., is vacated as to defendant Martin Eugene Roberts.
4. The United States Probation Office is ordered to prepare a Presentence Report for defendant Martin Eugene Roberts.

Saundra B. Armstrong
HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE